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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/462,703	06/05/1995	GARY D. HODGEN	SCH1309-C1	7915
23599	7590	12/06/2005	EXAMINER	
MILLEN, WHITE, ZELANO & BRANIGAN, P.C. 2200 CLARENDON BLVD. SUITE 1400 ARLINGTON, VA 22201			HARTLEY, MICHAEL G	
		ART UNIT		PAPER NUMBER
		1618		
DATE MAILED: 12/06/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

20051130

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

SEE ATTACHED

*m-hs*  
Michael G. Hartley  
SPE  
Art Unit: 1618

**Suggested Interference**

Applicant is directed to 37 CFR 41.202 for Suggesting an interference.

(a) An applicant, including a reissue applicant, may suggest an interference with another application or a patent. The suggestion must:

- (1) Provide sufficient information to identify the application or patent with which the applicant seeks an interference,
- (2) Identify all claims the applicant believes interfere, propose one or more counts, and show how the claims correspond to one or more counts,
- (3) For each count, provide a claim chart comparing at least one claim of each party corresponding to the count and show why the claims interfere within the meaning of § 41.203(a),
- (4) Explain in detail why the applicant will prevail on priority,
- (5) If a claim has been added or amended to provoke an interference, provide a claim chart showing the written description for each claim in the applicant 's specification, and
- (6) For each constructive reduction to practice for which the applicant wishes to be accorded benefit, provide a chart showing where the disclosure provides a constructive reduction to practice within the scope of the interfering subject matter.

**Applicant Suggesting an Interference**

Applicant has suggested an interference pursuant to 37 CFR 41.202(a) in a communication filed 4/27/2005. However, applicant has not complied with the new rules for suggesting an interference, as required:

**1) Failure to Identify the Other Application or Patent**

Applicant failed to provide sufficient information to identify the application or patent with which the applicant seeks an interference. See 37 CFR 41.202(a)(1) and MPEP § 2304.02(a).

**2) Failure to Identify the Counts and Corresponding Claims**

Applicant failed to (1) identify all claims the applicant believes interfere, and/or (2)

propose one or more counts, and/or (3) show how the claims correspond to one or more counts. See 37 CFR 41.202(a)(2) and MPEP § 2304.02(b).

**3) Failure to Provide Claim Chart Comparing At Least One Claim**

Applicant failed to provide a claim chart comparing at least one claim of each party corresponding to the count. See 37 CFR 41.202(a)(3) and MPEP § 2304.02(c).

**4) Failure to Explain in Detail Why Applicant Will Prevail on Priority**

Applicant failed to provide a detailed explanation as to why applicant will prevail on priority. See 37 CFR 41.202(a)(4), (a)(6), (d) and MPEP § 2304.02(c).

**5) Claim Added/Amended; Failure to Provide Claim Chart Showing Written Description**

Claim 49 has been added or amended in a communication filed on 4/17/1998 to provoke an interference. Applicant failed to provide a claim chart showing the written description for each claim in the applicant's specification. See 37 CFR 41.202(a)(5) and

**Time Period for Reply**

Applicant is given ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this communication to correct the deficiency(ies). THE PROVISIONS OF 37 CFR 1.136 DO NOT APPLY TO THE TIME SPECIFIED IN THIS ACTION.

Any inquiry concerning this communication should be directed to Michael G. Hartley at telephone number (571) 272-0616.



Michael G. Hartley  
SPE  
Art Unit 1618